

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

BOBBY D. EDWARDS,

05-CV-795-ST

Petitioner,

ORDER

v.

**CHARLES A. DANIELS, Warden,
FCI Sheridan,**

Respondent.

STEVEN T. WAX

Federal Public Defender

RUBEN L. INIGUEZ

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BROWN, Judge.

Magistrate Judge Janice M. Stewart issued Findings and Recommendation (#30) on December 21, 2006, in which she recommended this Court grant Respondent's Motion to Dismiss (#7) for Lack of Jurisdiction and deny Respondent's request for costs on the basis that the Court lacks jurisdiction in this case. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

Petitioner did not object to the Magistrate Judge's Findings and Recommendation. This Court, therefore, is relieved of its obligation to review the record *de novo*. *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). See also *Lorin Corp. v. Goto & Co.*, 700 F.2d 1202, 1206 (8th Cir. 1983). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Stewart's Findings and

Recommendation (#30). Accordingly, the Court **GRANTS** Respondent's Motion to Dismiss (#7) for Lack of Jurisdiction and **DENIES** Respondent's request for costs on the basis that the Court lacks jurisdiction in this case.

IT IS SO ORDERED.

DATED this 20th day of February, 2007.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge